

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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JOHN J. RIGAS and TIMOTHY J. RIGAS,

*Petitioners,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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11-CV-6964 (KMW)  
02-CR-1236 (KMW)

**PETITIONERS' MOTION FOR JUDGMENT ON THE INTERFERENCE CLAIMS**

Petitioners John J. Rigas and Timothy J. Rigas hereby move for Judgment on their interference claims under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Their Sentences.

Support for this Motion is set forth in (1) Petitioners' Memorandum of Law in Support of this Motion, (2) Petitioners' Rule 56.1 Statement of Material Facts in Support of this Motion, and (3) the May 25, 2018 Declaration of Lawrence Marshall.

WHEREFORE, Petitioners respectfully request that the Court:

(a) Grant appropriate relief under 28 U.S.C. § 2255, including vacating the Rigases' convictions and

- i. dismissal of the Indictment;
- ii a new trial; or
- iii. a new sentencing hearing; or

(b) Hold an evidentiary hearing on the claims they have brought.

Dated: May 25, 2018  
Stanford, California

/s/ Lawrence C. Marshall  
LAWRENCE C. MARSHALL  
ADMITTED *PRO HAC VICE*  
STANFORD LAW SCHOOL  
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*Attorney for Petitioners*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 25th day of May, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties with an e-mail address of record who have appeared and consent to electronic service in this action.

Dated: May 25, 2018

/s/ Lawrence C. Marshall  
LAWRENCE C. MARSHALL, ESQ.  
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